

AMENDED IN SENATE MARCH 26, 2007

AMENDED IN SENATE MARCH 8, 2007

**SENATE BILL**

**No. 144**

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**Introduced by Committee on Local Government (Senators  
Negrete McLeod (Chair), Cox, Harman, Kehoe, and Machado)**

January 25, 2007

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An act to amend Section 5120 of the Corporations Code, to amend Section 18915 of the Education Code, to amend Sections 1780, 4216, 6503.5, 6503.7, 15432, 24304.2, 61062, 65358, 66439, 66442, 66447, and 66472.1 of the Government Code, to amend Sections 33031 and 40980 of the Health and Safety Code, to repeal Sections 35104, 35107, 35122, 35138, and 35160 of, and to repeal and add Sections 35123, 35124, and 35130 of, the Public Resources Code, to amend Section 95 of the Revenue and Taxation Code, and to amend Section 3110 of the Streets and Highways Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 144, as amended, Committee on Local Government. Local Government Omnibus Act of 2007.

(1) Existing law authorizes 2 or more public agencies to enter into agreements to jointly exercise any power common to the contracting parties, as specified. Existing law requires specified notice to be filed with the Secretary of State when a joint powers agreement provides for the creation of an agency or entity that is separate from the parties to the agreement, as specified. Existing law also authorizes one or more persons to form a corporation, as specified, by executing and filing articles of incorporation with the Secretary of State.

This bill would require a corporation that is created by a local elected agency, as specified, and an agency or entity formed pursuant to a joint

powers agreement, as specified, to furnish an additional copy of its articles of incorporation, or notice of the agreement to the Secretary of State, and would require the Secretary of State to forward the extra copy to the Controller.

(2) Existing law provides that 3 members of the board of library trustees of a local public library may call a special meeting of that board by written notice served upon each member of the board at least 3 hours before the time specified for the proposed meeting.

This bill would delete this provision and instead provide that meetings of the board are governed by the Ralph M. Brown Act.

(3) Existing law requires planned excavations near subsurface installations to be conducted in a specified manner that protects the subsurface installations from damage, and requires the operator, if the excavation is within 10 feet of a high-priority subsurface installation, as defined, to notify the excavator of the installation, as specified, and to hold an onsite meeting with the operator to verify the location of the installation. Existing law defines “high-priority subsurface installation” to mean, among other things, high-pressure natural gas pipelines with normal operating pressures greater than 415kPA gauge (60psig) or greater than 6 inches nominal pipe diameter.

This bill would instead define “high-priority subsurface installation” to mean, among other things, high-pressure natural gas pipelines with normal operating pressures greater than 415kPA gauge (60psig).

(4) Existing law provides for the procedure to fill a vacancy in an elective office of the governing board of a local special district, as specified.

This bill would clarify the procedure for filling a vacant office, and the length of time an appointee would hold that office, as specified. The bill would also declare the Legislature’s intent to codify the holding in *Robson v. Upper San Gabriel Valley Municipal Water District* (2006) 142 Cal.App.4th 877.

(5) The California Health Facilities Financing Authority Act defines “health facility” to mean any facility, place, or building that is licensed, accredited, or certified and organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, or physical, mental, or developmental disability, as specified, and provides as an example, among others, a nonprofit accredited community work-activity program, as specified.

This bill would revise a cross-reference in this provision.

(6) Existing law authorizes the Board of Supervisors of Sonoma County and Tulare County to consolidate the duties of the offices of Auditor-Controller and Treasurer-Tax Collector into the elected office of Auditor-Controller-Treasurer-Tax Collector, as specified.

This bill would also authorize the Board of Supervisors of Mendocino County to consolidate the duties of the offices of Auditor-Controller and Treasurer-Tax Collector into the elected office of Auditor-Controller-Treasurer-Tax Collector, as specified.

(7) Existing law, the Community Services District Law, requires a community services district to follow specified procedures when disposing of surplus land.

This bill would correct an incorrect cross-reference in that provision.

(8) Existing law governs the amendment of an adopted general plan by a local legislative body.

This bill would delete an obsolete cross-reference in these provisions.

(9) Existing law, the Subdivision Map Act, requires dedications of real property for public purposes to be made by a statement on the final map, signed and acknowledged by the parties who have any record title interest in the real property being subdivided, as specified.

This bill would require the local agency, whenever a subdivider is required to make a dedication, to specify whether a dedication pursuant to these provisions, or any other provision of law, is to be in fee for public purposes or an easement for public purposes and would require specific language to be included on the parcel map or separate instrument. By imposing a new duty on local agencies, this bill would create a state-mandated local program.

(10) Existing law requires a certificate or statement by the county surveyor, if a subdivision for which a final map is required lies within an unincorporated area, or by the city engineer or city surveyor, if a subdivision lies within a city, as specified.

This bill would define the terms “certificate,” “certify,” and “certified,” for purposes of these provisions.

(11) Existing law, the Community Redevelopment Law, defines various physical conditions that cause blight.

This bill would make a technical, nonsubstantive change to this provision.

(12) Existing law governs the composition of the Sacramento Metropolitan Air Quality Management District’s Board of Directors, as specified.

This bill would permit a city council and city selection committee to appoint a mayor or another city council member as an alternate to serve and vote in place of a member who is absent or is disqualified from participating.

(13) The Santa Clara County Open-Space Authority Act defines various terms for purposes of the act, including “board of supervisors” and “interim governing board,” as specified. The act specifies the selection and powers of the interim governing board, the compensation of the members of the governing board, and the selection of the chairperson and vice chairperson of the governing board, as specified. Existing law requires funding for the activities of the authority, as specified, for the act to become operative with respect to the governing board.

This bill would repeal the definitions of “board of supervisors” and “interim governing board,” and the requirement of funding for the activities of the authority. This bill would also repeal the provisions governing the interim governing board. The bill would, as of January 1, 2008, specify the time of, and procedures for, the election of the members of the governing board of the authority. The bill would revise the compensation of members of the governing board, to permit members to recoup any necessary expenses incurred in the performance of their official duties, and would specify the method of determination of whether a member’s activities on a given day are compensable. The bill would also revise the selection of a chairperson and vice chairperson of the governing board, as specified.

(14) Existing law defines a “jurisdictional change” for the purposes of annual property tax revenue allocations.

This bill would revise that definition.

(15) Existing law requires a city, prior to a hearing on the formation or extent of a district pursuant to the Mello-Roos Community Facilities Act of 1982, to adopt, by resolution or ordinance, the proposed boundaries of the district to be specially taxed or assessed by reference to a map of the district, as specified.

This bill would make technical, nonsubstantive changes to these provisions.

~~(16) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,~~

reimbursement for those costs shall be made pursuant to these statutory provisions:

(16) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) This act shall be known and may be cited as  
2 the Local Government Omnibus Act of 2007.

3 (b) The Legislature finds and declares that Californians want  
4 their governments to be run efficiently and economically and that  
5 public officials should avoid waste and duplication whenever  
6 possible. The Legislature further finds and declares that it desires  
7 to control its own costs by reducing the number of separate bills.  
8 Therefore, it is the intent of the Legislature in enacting this act to  
9 combine several minor, noncontroversial statutory changes relating  
10 to local government into a single measure.

11 SEC. 2. Section 5120 of the Corporations Code is amended to  
12 read:

13 5120. (a) One or more persons may form a corporation under  
14 this part by executing and filing articles of incorporation.

15 (b) If initial directors are named in the articles, each director  
16 named in the articles shall sign and acknowledge the articles; if  
17 initial directors are not named in the articles, the articles shall be  
18 signed by one or more persons who thereupon are the incorporators  
19 of the corporation.

20 (c) The corporate existence begins upon the filing of the articles  
21 and continues perpetually, unless otherwise expressly provided by  
22 law or in the articles.

23 (d) At the time of filing pursuant to this section, a corporation  
24 shall furnish an additional copy of its articles to the Secretary of  
25 State who shall forward that copy to the Attorney General.

26 (e) If the corporation was created by the elected legislative body  
27 in order to exercise authority that may lawfully be delegated by

1 the elected governing body to a private corporation or other entity,  
2 the corporation shall furnish an additional copy of its articles to  
3 the Secretary of State, who shall forward the additional copy to  
4 the Controller.

5 SEC. 3. Section 18915 of the Education Code is amended to  
6 read:

7 18915. Meetings of the board are governed by the Ralph M.  
8 Brown Act (Chapter 9 (commencing with Section 54950) of Part  
9 1 of Division 2 of Title 5 of the Government Code).

10 SEC. 4. Section 1780 of the Government Code is amended to  
11 read:

12 1780. (a) Notwithstanding any other provision of law, a  
13 vacancy in any elective office on the governing board of a special  
14 district, other than those specified in Section 1781, shall be filled  
15 pursuant to this section.

16 (b) The district shall notify the county elections official of the  
17 vacancy no later than 15 days after either the date on which the  
18 district board is notified of the vacancy or the effective date of the  
19 vacancy, whichever is later.

20 (c) The remaining members of the district board may fill the  
21 vacancy either by appointment pursuant to subdivision (d) or by  
22 calling an election pursuant to subdivision (e).

23 (d) (1) The remaining members of the district board shall make  
24 the appointment pursuant to this subdivision within 60 days after  
25 either the date on which the district board is notified of the vacancy  
26 or the effective date of the vacancy, whichever is later. The district  
27 shall post a notice of the vacancy in three or more conspicuous  
28 places in the district at least 15 days before the district board makes  
29 the appointment. The district shall notify the county elections  
30 official of the appointment no later than 15 days after the  
31 appointment.

32 (2) If the vacancy occurs in the first half of a term of office, the  
33 person appointed to fill the vacancy shall hold office until the next  
34 general district election that is scheduled 130 or more days after  
35 the date the district board is notified of the vacancy, and thereafter  
36 until the person who is elected at that election to fill the vacancy  
37 has been qualified. The person elected to fill the vacancy shall  
38 hold office for the unexpired balance of the term of office.

1 (3) If the vacancy occurs in the second half of a term of office,  
2 the person appointed to fill the vacancy shall fill the balance of  
3 the unexpired term of office.

4 (e) (1) In lieu of making an appointment the remaining members  
5 of the board may within 60 days of the date the district board is  
6 notified of the vacancy or the effective date of the vacancy,  
7 whichever is later, call an election to fill the vacancy.

8 (2) The election called pursuant to this subdivision shall be held  
9 on the next established election date provided in Chapter 1  
10 (commencing with Section 1000) of Division 1 of the Elections  
11 Code that is 130 or more days after the date the district board calls  
12 the election.

13 (f) (1) If the vacancy is not filled by the district board by  
14 appointment, or if the district board has not called for an election  
15 within 60 days of the date the district board is notified of the  
16 vacancy or the effective date of the vacancy, whichever is later,  
17 then the city council of the city in which the district is wholly  
18 located, or if the district is not wholly located within a city, the  
19 board of supervisors of the county representing the larger portion  
20 of the district area in which the election to fill the vacancy will be  
21 held, may appoint a person to fill the vacancy within 90 days of  
22 the date the district board is notified of the vacancy or the effective  
23 date of the vacancy, whichever is later, or the city council or board  
24 of supervisors may order the district to call an election to fill the  
25 vacancy.

26 (2) The election called pursuant to this subdivision shall be held  
27 on the next established election date provided in Chapter 1  
28 (commencing with Section 1000) of Division 1 of the Elections  
29 Code that is 130 or more days after the date the city council or  
30 board of supervisors calls the election.

31 (g) (1) If within 90 days of the date the district board is notified  
32 of the vacancy or the effective date of the vacancy, whichever is  
33 later, the remaining members of the district board or the appropriate  
34 board of supervisors or city council have not filled the vacancy  
35 and no election has been called for, then the district board shall  
36 call an election to fill the vacancy.

37 (2) The election called pursuant to this subdivision shall be held  
38 on the next established election date provided in Chapter 1  
39 (commencing with Section 1000) of Division 1 of the Elections

1 Code that is 130 or more days after the date the district board calls  
2 the election.

3 (h) (1) Notwithstanding any other provision of this section, if  
4 the number of remaining members of the district board falls below  
5 a quorum, then at the request of the district secretary or a remaining  
6 member of the district board, the appropriate board of supervisors  
7 or the city council shall promptly appoint a person to fill the  
8 vacancy, or may call an election to fill the vacancy.

9 (2) The board of supervisors or the city council shall only fill  
10 enough vacancies by appointment or by election to provide the  
11 district board with a quorum.

12 (3) If the vacancy occurs in the first half of a term of office, the  
13 person appointed to fill the vacancy shall hold the office until the  
14 next general district election that is scheduled 130 or more days  
15 after the date the district board is notified of the vacancy, and  
16 thereafter until the person who is elected at that election to fill the  
17 vacancy has been qualified. The person elected to fill the vacancy  
18 shall hold office for the unexpired balance of the term of office.

19 (4) If the vacancy occurs in the second half of a term of office,  
20 the person appointed to fill the vacancy shall fill the balance of  
21 the unexpired term of office.

22 (5) The election called pursuant to this subdivision shall be held  
23 on the next established election date provided in Chapter 1  
24 (commencing with Section 1000) of Division 1 of the Elections  
25 Code that is held 130 or more days after the date the city council  
26 or board of supervisors calls the election.

27 SEC. 5. Section 4216 of the Government Code is amended to  
28 read:

29 4216. As used in this article the following definitions apply:

30 (a) "Approximate location of subsurface installations" means  
31 a strip of land not more than 24 inches on either side of the exterior  
32 surface of the subsurface installation. "Approximate location" does  
33 not mean depth.

34 (b) "Excavation" means any operation in which earth, rock, or  
35 other material in the ground is moved, removed, or otherwise  
36 displaced by means of tools, equipment, or explosives in any of  
37 the following ways: grading, trenching, digging, ditching, drilling,  
38 augering, tunneling, scraping, cable or pipe plowing and driving,  
39 or any other way.



1 (c) Except as provided in Section 4216.8, “excavator” means  
2 any person, firm, contractor or subcontractor, owner, operator,  
3 utility, association, corporation, partnership, business trust, public  
4 agency, or other entity that, with their, or his or her, own employees  
5 or equipment performs any excavation.

6 (d) “Emergency” means a sudden, unexpected occurrence,  
7 involving a clear and imminent danger, demanding immediate  
8 action to prevent or mitigate loss of, or damage to, life, health,  
9 property, or essential public services. “Unexpected occurrence”  
10 includes, but is not limited to, fires, floods, earthquakes or other  
11 soil or geologic movements, riots, accidents, damage to a  
12 subsurface installation requiring immediate repair, or sabotage.

13 (e) “High priority subsurface installation” means high-pressure  
14 natural gas pipelines with normal operating pressures greater than  
15 415kPA gauge (60psig), petroleum pipelines, pressurized sewage  
16 pipelines, high-voltage electric supply lines, conductors, or cables  
17 that have a potential to ground of greater than or equal to 60kv, or  
18 hazardous materials pipelines that are potentially hazardous to  
19 workers or the public if damaged.

20 (f) “Inquiry identification number” means the number that is  
21 provided by a regional notification center to every person who  
22 contacts the center pursuant to Section 4216.2. The inquiry  
23 identification number shall remain valid for not more than 28  
24 calendar days from the date of issuance, and after that date shall  
25 require regional notification center revalidation.

26 (g) “Local agency” means a city, county, city and county, school  
27 district, or special district.

28 (h) “Operator” means any person, corporation, partnership,  
29 business trust, public agency, or other entity that owns, operates,  
30 or maintains a subsurface installation. For purposes of Section  
31 4216.1, an “operator” does not include an owner of real property  
32 where subsurface facilities are exclusively located if they are used  
33 exclusively to furnish services on that property and the subsurface  
34 facilities are under the operation and control of that owner.

35 (i) “Qualified person” means a person who completes a training  
36 program in accordance with the requirements of Title 8, California  
37 Code of Regulations, Section 1509, Injury Prevention Program,  
38 that meets the minimum training guidelines and practices of  
39 Common Ground Alliance current Best Practices.

(j) “Regional notification center” means a nonprofit association or other organization of operators of subsurface installations that provides advance warning of excavations or other work close to existing subsurface installations, for the purpose of protecting those installations from damage, removal, relocation, or repair.

(k) “State agency” means every state agency, department, division, bureau, board, or commission.

(l) “Subsurface installation” means any underground pipeline, conduit, duct, wire, or other structure, except nonpressurized sewerlines, nonpressurized storm drains, or other nonpressurized drain lines.

SEC. 6. Section 6503.5 of the Government Code is amended to read:

6503.5. Whenever a joint powers agreement provides for the creation of an agency or entity that is separate from the parties to the agreement and is responsible for the administration of the agreement, such agency or entity shall, within 30 days after the effective date of the agreement or amendment thereto, cause a notice of the agreement or amendment to be prepared and filed with the office of the Secretary of State. The agency or entity shall furnish an additional copy of the notice of the agreement or amendment to the Secretary of State, who shall forward the copy to the Controller. The notice shall contain:

(a) The name of each public agency that is a party to the agreement.

(b) The date that the agreement became effective.

(c) A statement of the purpose of the agreement or the power to be exercised.

(d) A description of the amendment or amendments made to the agreement, if any.

Notwithstanding any other provision of this chapter, any agency or entity administering a joint powers agreement or amendment to such an agreement, which agreement or amendment becomes effective on or after the effective date of this section, which fails to file the notice required by this section within 30 days after the effective date of the agreement or amendment, shall not thereafter, and until such filings are completed, issue any bonds or incur indebtedness of any kind.

SEC. 7. Section 6503.7 of the Government Code is amended to read:

6503.7. Within 90 days after the effective date of this section, any separate agency or entity constituted pursuant to a joint powers agreement entered into prior to the effective date of this section and responsible for the administration of the ~~agreement~~, *agreement* shall cause a notice of the agreement to be prepared and filed with the office of the Secretary of State. The agency or entity shall also furnish an additional copy of the notice of the agreement to the Secretary of State who shall forward the copy to the Controller. The notice shall contain all the information required for notice given pursuant to Section 6503.5.

Notwithstanding any other provision of this chapter, any joint powers agency that is required and fails to file notice pursuant to this section within 90 days after the effective date of this ~~section~~, *section* shall not, thereafter, and until such filings are completed, issue any bonds, incur any debts, liabilities or obligations of any kind, or in any other way exercise any of its powers.

For purposes of recovering the costs incurred in filing and processing the notices required to be filed pursuant to this section and Section 6503.5, the Secretary of State may establish a schedule of fees. Such fees shall be collected by the office of the Secretary of State at the time the notices are filed and shall not exceed the reasonably anticipated cost to the Secretary of State of performing the work to which the fees relate.

SEC. 8. Section 15432 of the Government Code is amended to read:

15432. As used in this part, the following words and terms shall have the following meanings, unless the context clearly indicates or requires another or different meaning or intent:

(a) “Act” means the California Health Facilities Financing Authority Act.

(b) “Authority” means the California Health Facilities Financing Authority created by this part or any board, body, commission, department, or officer succeeding to the principal functions thereof or to which the powers conferred upon the authority by this part shall be given by law.

(c) “Cost,” as applied to a project or portion of a project financed under this part, means and includes all or any part of the cost of construction and acquisition of all lands, structures, real or personal property, rights, rights-of-way, franchises, easements, and interests acquired or used for a project, the cost of demolishing or removing

1 any buildings or structures on land so acquired, including the cost  
2 of acquiring any lands to which those buildings or structures may  
3 be moved, the cost of all machinery and equipment, financing  
4 charges, interest prior to, during, and for a period not to exceed  
5 the later of one year or one year following completion of  
6 construction, as determined by the authority, the cost of insurance  
7 during construction, the cost of funding or financing noncapital  
8 expenses, reserves for principal and interest and for extensions,  
9 enlargements, additions, replacements, renovations and  
10 improvements, the cost of engineering, service contracts,  
11 reasonable financial and legal services, plans, specifications,  
12 studies, surveys, estimates, administrative expenses, and other  
13 expenses of funding or financing, that are necessary or incident to  
14 determining the feasibility of constructing any project, or that are  
15 incident to the construction, acquisition, or financing of any project.

16 (d) “Health facility” means any facility, place, or building that  
17 is licensed, accredited, or certified and organized, maintained, and  
18 operated for the diagnosis, care, prevention, and treatment of  
19 human illness, or physical, mental, or developmental disability,  
20 including convalescence and rehabilitation and including care  
21 during and after pregnancy, or for any one or more of these  
22 purposes, for one or more persons, and includes, but is not limited  
23 to, all of the following types:

24 (1) A general acute care hospital that is a health facility having  
25 a duly constituted governing body with overall administrative and  
26 professional responsibility and an organized medical staff that  
27 provides 24-hour inpatient care, including the following basic  
28 services: medical, nursing, surgical, anesthesia, laboratory,  
29 radiology, pharmacy, and dietary services.

30 (2) An acute psychiatric hospital that is a health facility having  
31 a duly constituted governing body with overall administrative and  
32 professional responsibility and an organized medical staff that  
33 provides 24-hour inpatient care for mentally disordered,  
34 incompetent, or other patients referred to in Division 5  
35 (commencing with Section 5000) or Division 6 (commencing with  
36 Section 6000) of the Welfare and Institutions Code, including the  
37 following basic services: medical, nursing, rehabilitative,  
38 pharmacy, and dietary services.

39 (3) A skilled nursing facility that is a health facility that provides  
40 the following basic services: skilled nursing care and supportive

1 care to patients whose primary need is for availability or skilled  
2 nursing care on an extended basis.

3 (4) An intermediate care facility that is a health facility that  
4 provides the following basic services: inpatient care to ambulatory  
5 or semiambulatory patients who have recurring need for skilled  
6 nursing supervision and need supportive care, but who do not  
7 require availability or continuous skilled nursing care.

8 (5) A special health care facility that is a health facility having  
9 a duly constituted governing body with overall administrative and  
10 professional responsibility and an organized medical or dental staff  
11 that provides inpatient or outpatient, acute or nonacute care,  
12 including, but not limited to, medical, nursing, rehabilitation,  
13 dental, or maternity.

14 (6) A clinic that is operated by a tax-exempt nonprofit  
15 corporation that is licensed pursuant to Section 1204 or 1204.1 of  
16 the Health and Safety Code or a clinic exempt from licensure  
17 pursuant to subdivision (b) or (c) of Section 1206 of the Health  
18 and Safety Code.

19 (7) An adult day health center that is a facility, as defined under  
20 subdivision (b) of Section 1570.7 of the Health and Safety Code,  
21 that provides adult day health care, as defined under subdivision  
22 (a) of Section 1570.7 of the Health and Safety Code.

23 (8) Any facility owned or operated by a local jurisdiction for  
24 the provision of county health services.

25 (9) A multilevel facility is an institutional arrangement where  
26 a residential facility for the elderly is operated as a part of, or in  
27 conjunction with, an intermediate care facility, a skilled nursing  
28 facility, or a general acute care hospital. "Elderly," for the purposes  
29 of this paragraph, means a person 62 years of age or older.

30 (10) A child day care facility operated in conjunction with a  
31 health facility. A child day care facility is a facility, as defined in  
32 Section 1596.750 of the Health and Safety Code. For purposes of  
33 this paragraph, "child" means a minor from birth to 18 years of  
34 age.

35 (11) An intermediate care facility/developmentally disabled  
36 habilitative that is a health facility, as defined under subdivision  
37 (e) of Section 1250 of the Health and Safety Code.

38 (12) An intermediate care facility/developmentally  
39 disabled-nursing that is a health facility, as defined under  
40 subdivision (h) of Section 1250 of the Health and Safety Code.

1 (13) A community care facility that is a facility, as defined under  
2 subdivision (a) of Section 1502 of the Health and Safety Code,  
3 that provides care, habilitation, rehabilitation, or treatment services  
4 to developmentally disabled or mentally impaired persons.

5 (14) A nonprofit community care facility, as defined in  
6 subdivision (a) of Section 1502 of the Health and Safety Code,  
7 other than a facility that, as defined in that subdivision, is a  
8 residential facility for the elderly, a foster family agency, a foster  
9 family home, a full service adoption agency, or a noncustodial  
10 adoption agency.

11 (15) A nonprofit accredited community work-activity program,  
12 as specified in subdivision (e) of Section 4851 and Section 4856  
13 of the Welfare and Institutions Code.

14 (16) A community mental health center, as defined in paragraph  
15 (3) of subdivision (b) of Section 5667 of the Welfare and  
16 Institutions Code.

17 (17) A nonprofit speech and hearing center, as defined in Section  
18 1201.5 of the Health and Safety Code.

19 (18) A blood bank, as defined in Section 1600.2 of the Health  
20 and Safety Code, licensed pursuant to Section 1602.5 of the Health  
21 and Safety Code, and exempt from federal income taxation  
22 pursuant to Section 501(c)(3) of the Internal Revenue Code.

23 “Health facility” includes a clinic that is described in subdivision  
24 (l) of Section 1206 of the Health and Safety Code.

25 “Health facility” includes the following facilities, if the facility  
26 is operated in conjunction with one or more of the facilities  
27 specified in paragraphs (1) to (18), inclusive, of this subdivision:  
28 a laboratory, laundry, or nurses or interns residence, housing for  
29 staff or employees and their families or patients or relatives of  
30 patients, a physicians’ facility, an administration building, a  
31 research facility, a maintenance, storage, or utility facility, all  
32 structures or facilities related to any of the foregoing facilities or  
33 required or useful for the operation of a health facility and the  
34 necessary and usual attendant and related facilities and equipment,  
35 and parking and supportive service facilities or structures required  
36 or useful for the orderly conduct of the health facility.

37 “Health facility” does not include any institution, place, or  
38 building used or to be used primarily for sectarian instruction or  
39 study or as a place for devotional activities or religious worship.

1 (e) “Participating health institution” means a city, city and  
2 county, or county, a district hospital, or a private nonprofit  
3 corporation or association authorized by the laws of this state to  
4 provide or operate a health facility and that, pursuant to the  
5 provisions of this part, undertakes the financing or refinancing of  
6 the construction or acquisition of a project or of working capital  
7 as provided in this part. “Participating health institution” also  
8 includes, for purposes of the California Health Facilities Revenue  
9 Bonds (UCSF-Stanford Health Care) 1998 Series A, the Regents  
10 of the University of California.

11 (f) “Project” means construction, expansion, remodeling,  
12 renovation, furnishing, or equipping, or funding, financing, or  
13 refinancing of a health facility or acquisition of a health facility  
14 to be financed or refinanced with funds provided in whole or in  
15 part pursuant to this part. “Project” may include reimbursement  
16 for the costs of construction, expansion, remodeling, renovation,  
17 furnishing, or equipping, or funding, financing, or refinancing of  
18 a health facility or acquisition of a health facility. “Project” may  
19 include any combination of one or more of the foregoing  
20 undertaken jointly by any participating health institution with one  
21 or more other participating health institutions.

22 (g) “Revenue bond” means any bond, warrant, note, lease, or  
23 installment sale obligation that is evidenced by a certificate of  
24 participation or other evidence of indebtedness issued by the  
25 authority.

26 (h) “Working capital” means moneys to be used by, or on behalf  
27 of, a participating health institution to pay or prepay maintenance  
28 or operation expenses or any other costs that would be treated as  
29 an expense item, under generally accepted accounting principles,  
30 in connection with the ownership or operation of a health facility,  
31 including, but not limited to, reserves for maintenance or operation  
32 expenses, interest for not to exceed one year on any loan for  
33 working capital made pursuant to this part, and reserves for debt  
34 service with respect to, and any costs necessary or incidental to,  
35 that financing.

36 SEC. 9. Section 24304.2 of the Government Code is amended  
37 to read:

38 24304.2. Notwithstanding Section 24300, in Mendocino  
39 County, Sonoma County, and Tulare County, the board of  
40 supervisors, by ordinance, may consolidate the duties of the offices

1 of Auditor-Controller and Treasurer-Tax Collector into the elected  
2 office of Auditor-Controller-Treasurer-Tax Collector.

3 ~~SEC. 11.~~

4 *SEC. 10.* Section 61062 of the Government Code is amended  
5 to read:

6 61062. (a) When acquiring, improving, or using any real  
7 property, a district shall comply with Article 5 (commencing with  
8 Section 53090) of Chapter 1 of Part 1 of Division 2 of Title 5, and  
9 Article 7 (commencing with Section 65400) of Chapter 1 of  
10 Division 1 of Title 7.

11 (b) When disposing of surplus land, a district shall comply with  
12 Article 8 (commencing with Section 54220) of Chapter 5 of Part  
13 1 of Division 2 of Title 5.

14 ~~SEC. 12.~~

15 *SEC. 11.* Section 65358 of the Government Code is amended  
16 to read:

17 65358. (a) If it deems it to be in the public interest, the  
18 legislative body may amend all or part of an adopted general plan.  
19 An amendment to the general plan shall be initiated in the manner  
20 specified by the legislative body. Notwithstanding Section 66016,  
21 a legislative body that permits persons to request an amendment  
22 of the general plan may require that an amount equal to the  
23 estimated cost of preparing the amendment be deposited with the  
24 planning agency prior to the preparation of the amendment.

25 (b) Except as otherwise provided in subdivision (c) or (d), no  
26 mandatory element of a general plan shall be amended more  
27 frequently than four times during any calendar year. Subject to  
28 that limitation, an amendment may be made at any time, as  
29 determined by the legislative body. Each amendment may include  
30 more than one change to the general plan.

31 (c) The limitation on the frequency of amendments to a general  
32 plan contained in subdivision (b) does not apply to amendments  
33 of the general plan requested and necessary for a single  
34 development of residential units, at least 25 percent of which will  
35 be occupied by or available to persons and families of low or  
36 moderate income, as defined by Section 50093 of the Health and  
37 Safety Code. The specified percentage of low- or moderate-income  
38 housing may be developed on the same site as the other residential  
39 units proposed for development, or on another site or sites  
40 encompassed by the general plan, in which case the combined total



1 number of residential units shall be considered a single  
2 development proposal for purposes of this section.

3 (d) This section does not apply to the adoption of any element  
4 of a general plan or to the amendment of any element of a general  
5 plan in order to comply with any of the following:

6 (1) A court decision made pursuant to Article 14 (commencing  
7 with Section 65750).

8 (2) Subdivision (b) of Section 65302.3.

9 (3) Subdivision (b) of Section 30500 of the Public Resources  
10 Code.

11 ~~SEC. 13.~~

12 *SEC. 12.* Section 66439 of the Government Code is amended  
13 to read:

14 66439. (a) Dedications of, or offers to dedicate interests in,  
15 real property for specified public purposes shall be made by a  
16 statement on the final map, signed and acknowledged by those  
17 parties having any record title interest in the real property being  
18 subdivided, subject to the provisions of Section 66436.

19 (b) In the event any street shown on a final map is not offered  
20 for dedication, the statement may contain a declaration to this  
21 effect. If the statement appears on the final map and if the map is  
22 approved by the legislative body, the use of the street or streets by  
23 the public shall be permissive only.

24 (c) An offer of dedication of real property for street or public  
25 utility easement purposes shall be deemed not to include any public  
26 utility facilities located on or under the real property unless, and  
27 only to the extent that, an intent to dedicate the facilities is  
28 expressly declared in the statement.

29 (d) (1) Whenever a subdivider is required, pursuant to this  
30 division or any other provision of law, to make a dedication for  
31 specified public purposes on a final map, the local agency shall  
32 specify whether the dedication is to be in fee for public purposes  
33 or an easement for public purposes.

34 (2) If the dedication is required to be in fee for public purposes,  
35 the subdivider shall use the following language in the dedication  
36 clause on the parcel map or separate instrument:

37 “The real property described below is dedicated in fee for public  
38 purposes:

39 [insert legal description].”

(3) If the dedication is required to be an easement for public purposes, the subdivider shall use the following language in the dedication clause on the parcel map or separate instrument:

“The real property described below is dedicated as an easement for public purposes:

[insert legal description].”

~~SEC. 14.~~

*SEC. 13.* Section 66442 of the Government Code is amended to read:

66442. (a) If a subdivision for which a final map is required lies within an unincorporated area, a certificate or statement by the county surveyor is required. If a subdivision lies within a city, a certificate or statement by the city engineer or city surveyor is required. The appropriate official shall sign, date, and, below or immediately adjacent to the signature, indicate his or her registration or license number with expiration date and the stamp of his or her seal, state that:

(1) He or she has examined the map.

(2) The subdivision as shown is substantially the same as it appeared on the tentative map, and any approved alterations thereof.

(3) All provisions of this chapter and of any local ordinances applicable at the time of approval of the tentative map have been complied with.

(4) He or she is satisfied that the map is technically correct.

(b) City or county engineers registered as civil engineers after January 1, 1982, shall only be qualified to certify the statements of paragraphs (1), (2), and (3) of subdivision (a). The statement specified in paragraph (4) shall only be certified by a person authorized to practice land surveying pursuant to the Professional Land Surveyors' Act (Chapter 15 (commencing with Section 8700) of Division 3 of the Business and Professions Code) or a person registered as a civil engineer prior to January 1, 1982, pursuant to the Professional Engineers' Act (Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code). The county surveyor, the city surveyor, or the city engineer, as the case may be, or other public official or employee qualified and authorized to perform the functions of one of those officials, shall complete and file with his or her legislative body his or her certificate or statement, as required by this section, within 20 days

1 from the time the final map is submitted to him or her by the  
2 subdivider for approval.

3 (c) As used in this section, “certificate,” “certify,” and “certified”  
4 shall have the same meaning as provided in Sections 6735.5 and  
5 8770.6 of the Business and Professions Code.

6 ~~SEC. 15.~~

7 *SEC. 14.* Section 66447 of the Government Code is amended  
8 to read:

9 66447. (a) If dedications or offers of dedication are required,  
10 they may be made either by a statement on the parcel map or by  
11 separate instrument, as provided by local ordinance. If dedications  
12 or offers of dedication are made by separate instrument, the  
13 dedications or offers of dedication shall be recorded concurrently  
14 with, or prior to, the parcel map being filed for record.

15 (b) The dedication or offers of dedication, whether by statement  
16 on the parcel map or by separate instrument, shall be signed by  
17 the same parties and in the same manner as set forth in Section  
18 66439 for dedications by a final map.

19 (c) (1) Whenever a subdivider is required, pursuant to this  
20 division or any other provision of law, to make a dedication for  
21 specified public purposes either by a statement on the parcel map  
22 or by separate instrument, the local agency shall specify whether  
23 the dedication is to be in fee for public purposes or an easement  
24 for public purposes.

25 (2) If the dedication is required to be in fee for public purposes,  
26 the subdivider shall use the following language in the dedication  
27 clause on the parcel map or separate instrument:

28 “The real property described below is dedicated in fee for public  
29 purposes:

30 [insert legal description].”

31 (3) If the dedication is required to be an easement for public  
32 purposes, the subdivider shall use the following language in the  
33 dedication clause on the parcel map or separate instrument:

34 “The real property described below is dedicated as an easement  
35 for public purposes:

36 [insert legal description].”

37 ~~SEC. 16.~~

38 *SEC. 15.* Section 66472.1 of the Government Code is amended  
39 to read:

66472.1. In addition to the amendments authorized by Section 66469, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction or an amending map, if authorized by local ordinance, if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3. The local agency shall confine the hearing to consideration of, and action on, the proposed modification.

~~SEC. 17.~~

*SEC. 16.* Section 33031 of the Health and Safety Code is amended to read:

33031. (a) This subdivision describes physical conditions that cause blight:

(1) Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.

(2) Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.

(3) Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.

(4) The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.

(b) This subdivision describes economic conditions that cause blight:

(1) Depreciated or stagnant property values.

1 (2) Impaired property values, due in significant part, to  
2 hazardous wastes on property where the agency may be eligible  
3 to use its authority as specified in Article 12.5 (commencing with  
4 Section 33459).

5 (3) Abnormally high business vacancies, abnormally low lease  
6 rates, or an abnormally high number of abandoned buildings.

7 (4) A serious lack of necessary commercial facilities that are  
8 normally found in neighborhoods, including grocery stores, drug  
9 stores, and banks and other lending institutions.

10 (5) Serious residential overcrowding that has resulted in  
11 significant public health or safety problems. As used in this  
12 paragraph, “overcrowding” means exceeding the standard  
13 referenced in Article 5 (commencing with Section 32) of Chapter  
14 1 of Title 25 of the California Code of Regulations.

15 (6) An excess of bars, liquor stores, or adult-oriented businesses  
16 that has resulted in significant public health, safety, or welfare  
17 problems.

18 (7) A high crime rate that constitutes a serious threat to the  
19 public safety and welfare.

20 ~~SEC. 18.~~

21 *SEC. 17.* Section 40980 of the Health and Safety Code is  
22 amended to read:

23 40980. (a) The Sacramento district shall, at a minimum, be  
24 governed by a district board composed of the Board of Supervisors  
25 of the County of Sacramento.

26 (b) If the County of Placer submits a resolution of inclusion,  
27 pursuant to Section 40963, one or more elected officials from that  
28 county shall be included on the Sacramento district board, pursuant  
29 to agreement between that county and the Sacramento district  
30 board.

31 (c) (1) The membership of the Sacramento district board shall  
32 include one or more members who are mayors or city council  
33 members, or both, and one or more members who are county  
34 supervisors.

35 (2) The number of those members and their composition shall  
36 be determined jointly by the counties and cities within the district,  
37 and shall be approved by a majority of the counties, and by a  
38 majority of the cities that contain a majority of the population in  
39 the incorporated area of the district.

(d) The governing board shall reflect, to the extent feasible and practicable, the geographic diversity of the district and the variation of population between the cities in the district.

(e) (1) Except as provided in paragraph (2), the members of the governing board who are mayors or city council members shall be selected by the city council of the city that they represent. The members of the governing board who are county supervisors shall be selected by the county if the district only contains one county or a majority of counties within the district if the district contains more than one county.

(2) The city selection committee shall be convened to select a member of the governing board from nominees who are mayors or city council members only if there is to be a change in a board member designated to represent more than one city, and only if more than one of those cities submits nominees for that board member position.

(3) When selecting a member of the governing board, a city council and the city selection committee may also appoint a mayor or another city council member as an alternate to serve and vote in place of the member who is absent or is disqualified from participating.

(f) (1) If the district fails to comply with subdivision (c), one-third of the members of the governing board shall be mayors or city council members, and two-thirds shall be county supervisors. The number of those members shall be determined as provided in paragraph (2) of subdivision (c), and the members shall be selected pursuant to subdivision (e).

(2) For purposes of paragraph (1), if any number which is not a whole number results from the application of the term “one-third” or “two-thirds,” the number of county supervisors shall be increased to the nearest integer, and the number of mayors or city council members decreased to the nearest integer.

~~SEC. 19.~~

~~SEC. 18.~~ Section 35104 of the Public Resources Code is repealed.

~~SEC. 20.~~

~~SEC. 19.~~ Section 35107 of the Public Resources Code is repealed.

~~SEC. 21.~~

~~SEC. 20.~~ Section 35122 of the Public Resources Code is repealed.

~~SEC. 22.~~

~~SEC. 21.~~ Section 35123 of the Public Resources Code is repealed.

~~SEC. 23.~~

~~SEC. 22.~~ Section 35123 is added to the Public Resources Code, to read:

35123. (a) Commencing in 2008, the elections of members of the governing board shall be held during the statewide election in November of the year that the term expires.

(b) The elections and the terms of office of the members of the governing board shall be determined pursuant to the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code).

(c) Any vacancy in the office of a member of the governing board shall be filled pursuant to Section 1780 of the Government Code.

~~SEC. 24.~~

~~SEC. 23.~~ Section 35124 of the Public Resources Code is repealed.

~~SEC. 25.~~

~~SEC. 24.~~ Section 35124 is added to the Public Resources Code, to read:

35124. Each member of the governing board may receive compensation in the amount of seventy-five dollars (\$75) for attending each meeting of the governing board, not to exceed two meetings in any calendar month, together with any actual and necessary expenses incurred in the performance of his or her official duties required or authorized by the governing board. The determination of whether a member's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for expenses is subject to Section 53232.2 and 53232.3 of the Government Code.

~~SEC. 26.~~

~~SEC. 25.~~ Section 35130 of the Public Resources Code is repealed.

1     ~~SEC. 27.~~

2     ~~SEC. 26.~~ Section 35130 is added to the Public Resources Code,  
3 to read:

4     35130. At the first governing board meeting in January of each  
5 year, the governing board shall select a chairperson who shall  
6 preside at all ~~meetings~~ *meetings*, and a vice chairperson, who shall  
7 preside in the absence of the chairperson. In the event of the  
8 absence of the chairperson and the vice chairperson, the members  
9 present, by an order entered into the minutes, shall select one of  
10 the members present to act as chairperson pro tempore, who, while  
11 so acting, has all of the authority of the chairperson.

12     ~~SEC. 28.~~

13     ~~SEC. 27.~~ Section 35138 of the Public Resources Code is  
14 repealed.

15     ~~SEC. 29.~~

16     ~~SEC. 28.~~ Section 35160 of the Public Resources Code is  
17 repealed.

18     ~~SEC. 30.~~

19     ~~SEC. 29.~~ Section 95 of the Revenue and Taxation Code is  
20 amended to read:

21     95. For the purpose of this chapter:

22     (a) “Local agency” means a city, county, and special district.

23     (b) “Jurisdiction” means a local agency, school district,  
24 community college district, or county superintendent of schools.  
25 A jurisdiction as defined in this subdivision is a “district” for  
26 purposes of Section 1 of Article XIII A of the California  
27 Constitution.

28     For jurisdictions located in more than one county, the county  
29 auditor of each county in which that jurisdiction is located shall,  
30 for the purposes of computing the amount for that jurisdiction  
31 pursuant to this chapter, treat the portion of the jurisdiction located  
32 within that county as a separate jurisdiction.

33     (c) “Property tax revenue” includes the amount of state  
34 reimbursement for the homeowners’ exemption. “Property tax  
35 revenue” does not include the amount of property tax levied for  
36 the purpose of making payments for the interest and principal on  
37 either of the following:

38     (1) General obligation bonds or other indebtedness approved  
39 by the voters prior to July 1, 1978, including tax rates levied  
40 pursuant to Part 10 (commencing with Section 15000) of Division



1 of, and Sections 39308 and 39311 and former Sections 81338 and 81341 of the Education Code, and Section 26912.7 of the Government Code.

(2) Bonded indebtedness for the acquisition or improvement of real property approved by two-thirds of the voters on or after June 4, 1986.

(d) “Taxable assessed value” means total assessed value minus all exemptions other than the homeowners’ and business inventory exemptions.

(e) “Jurisdictional change” includes any change of organization, as defined in Section 56021 of the Government Code and a reorganization, as defined in Section 56073 of the Government Code. “Jurisdictional change” also includes any change in the boundary of those special districts that are not under the jurisdiction of a local agency formation commission.

“Jurisdictional change” also includes a functional consolidation where two or more local agencies, except two or more counties, exchange or otherwise reassign functions and any change in the boundaries of a school district or community college district or county superintendent of schools.

(f) “School entities” means school districts, community college districts, the Educational Revenue Augmentation Fund, and county superintendents of schools.

(g) Except as otherwise provided in this subdivision, “tax rate area” means a specific geographic area all of which is within the jurisdiction of the same combination of local agencies and school entities for the current fiscal year.

In the case of a jurisdictional change pursuant to Section 99, the area subject to the change shall constitute a new tax rate area, except that if the area subject to change is within the same combinations of local agencies and school entities as an existing tax rate area, the two tax rate areas may be combined into one tax rate area.

Existing tax rate areas having the same combinations of local agencies and school entities may be combined into one tax rate area. For the combination of existing tax rate areas, the factors used to allocate the annual tax increment pursuant to Section 98 shall be determined by calculating a weighted average of the annual tax increment factors used in the tax rate areas being combined.

(h) “State assistance payments” means:

(1) For counties, amounts determined pursuant to subdivision (b) of Section 16260 of the Government Code, increased by the amount specified for each county pursuant to Section 94 of Chapter 282 of the Statutes of 1979, with the resultant sum reduced by an amount derived by the calculation made pursuant to Section 16713 of the Welfare and Institutions Code.

(2) For cities, 82.91 percent of the amounts determined pursuant to subdivisions (b) and (i) of Section 16250 of the Government Code, plus for any city an additional amount equal to one-half of the amount of any outstanding debt as of June 30, 1978, for “museums” as shown in the Controller’s “Annual Report of Financial Transactions of Cities for Fiscal Year 1977–78.”

(3) For special districts, 95.24 percent of the amounts received pursuant to Chapter 3 (commencing with Section 16270) of Part 1.5 of Division 4 of Title 2 of the Government Code, Section 35.5 of Chapter 332 of the Statutes of 1978, and Chapter 12 of the Statutes of 1979.

(i) “City clerk” means the clerk of the governing body of a city or city and county.

(j) “Executive officer” means the executive officer of a local agency formation commission.

(k) “City” means any city whether general law or charter, except a city and county.

(l) “County” means any chartered or general law county. “County” includes a city and county.

(m) “Special district” means any agency of the state for the local performance of governmental or proprietary functions within limited boundaries. “Special district” includes a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area. “Special district” includes the Bay Area Air Quality Management District. “Special district” does not include a city, a county, a school ~~district~~ *district*, or a community college district. “Special district” does not include any agency that is not authorized by statute to levy a property tax rate. However, any special district authorized to levy a property tax by the statute under which the district was formed shall be considered a special district. Additionally, a county free library established pursuant to Article

1 1 (commencing with Section 19100) of Chapter 6 of Part 11 of  
2 Division 1 of Title 1 of the Education Code, and for which a  
3 property tax was levied in the 1977–78 fiscal year, shall be  
4 considered a special district.

5 (n) “Excess tax school entity” means an educational agency for  
6 which the amount of the state funding entitlement determined  
7 under Section 2558, 42238, 84750, or 84751 of the Education  
8 Code, as appropriate, is zero.

9 ~~SEC. 31.~~

10 *SEC. 30.* Section 3110 of the Streets and Highways Code is  
11 amended to read:

12 3110. (a) The proposed boundaries of the district to be  
13 specially taxed or assessed in proceedings shall be described by  
14 resolution or ordinance adopted by the legislative body prior to  
15 the hearing on the formation or extent of the district. The  
16 description of the proposed boundaries shall be by reference to a  
17 map of the district which shall indicate by a boundary line the  
18 extent of the territory included in the proposed district and the map  
19 shall govern for all details as to the extent of the district. The map  
20 shall also contain the name of the city and a distinctive designation,  
21 in words or by number, of the district shown on the map.

22 (b) The map shall be legibly drawn, printed or reproduced by  
23 a process that provides a permanent record. Each sheet of paper  
24 or other material used for the map shall be 18 by 26 inches in size,  
25 shall have clearly shown therein the particular number of the sheet,  
26 the total number of sheets comprising the map, and its relation to  
27 each adjoining sheet, and shall have encompassing its border a  
28 line that leaves a blank margin one inch in width.

29 The map shall be labeled substantially as follows: Proposed  
30 Boundaries of (here insert name or number of district) (here insert  
31 name of city and county thereafter), State of California.

32 In addition, if the resolution of intention to create the district  
33 proposes that some or all tax or bond proceeds of the district would  
34 be used to pay for cleanup of any hazardous substance pursuant  
35 to subdivision (f) of Section 53313 of the Government Code, the  
36 map label shall include the following statement in large,  
37 conspicuous letters:

38 TAXES LEVIED BY THIS DISTRICT MAY BE USED TO  
39 PAY FOR CLEANUP OF HAZARDOUS SUBSTANCES.

1 If the map consists of more than one page, the same entitlement  
2 shall be on each page.

3 The map shall also have thereon legends reading substantially  
4 as follows:

5 (1) Filed in the office of the (clerk of the legislative body) this  
6 \_\_\_\_ day of \_\_\_\_, 20\_\_.

7  
8  
9 \_\_\_\_\_  
(Clerk of the legislative body)

10  
11 (2) I hereby certify that the within map showing proposed  
12 boundaries of (here insert name or number of district) (here insert  
13 name of city, and, if not a county, insert name of county thereafter),  
14 State of California, was approved by the city council (or other  
15 appropriate legislative body) of the (here insert city) at a regular  
16 meeting thereof, held on the \_\_\_\_ day of \_\_\_\_, 20\_\_, by its  
17 Resolution No. \_\_\_\_.

18 (3) Filed this \_\_\_\_ day of \_\_\_\_, 20\_\_, at the hour of \_\_\_\_  
19 o'clock \_m. in Book \_\_\_\_ of Maps of Assessment and Community  
20 Facilities Districts at page \_\_\_\_, in the office of the county recorder  
21 in the County of \_\_\_\_, State of California.

22  
23  
24 \_\_\_\_\_  
(County Recorder of County of \_\_\_\_)

25  
26 ~~SEC. 32.~~

27 *SEC. 31.* In amending Section 1780 of the Government Code  
28 by this act, it is the intent of the Legislature to codify the court's  
29 interpretation of that section as expressed in *Robson v. Upper San*  
30 *Gabriel Valley Municipal Water District* (2006) 142 Cal.App.4th  
31 877.

32 ~~SEC. 33.~~

33 *SEC. 32.* With respect to Sections 9, 23, 25, and 27 of this act,  
34 the Legislature finds and declares that a special law is necessary  
35 and a general law cannot be made applicable within the meaning  
36 of Section 16 of Article IV of the California Constitution because  
37 of the unique circumstances of Mendocino County and Santa Clara  
38 County respectively. The facts constituting the special  
39 circumstances include the need to reorganize the structure and

1 duties of county officers to reduce costs, increase productivity,  
2 and enhance public service in those counties.

3 ~~SEC. 34. If the Commission on State Mandates determines~~  
4 ~~that this act contains costs mandated by the state, reimbursement~~  
5 ~~to local agencies and school districts for those costs shall be made~~  
6 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
7 ~~4 of Title 2 of the Government Code.~~

8 *SEC. 33. No reimbursement is required by this act pursuant*  
9 *to Section 6 of Article XIII B of the California Constitution because*  
10 *a local agency or school district has the authority to levy service*  
11 *charges, fees, or assessments sufficient to pay for the program or*  
12 *level of service mandated by this act, within the meaning of Section*  
13 *17556 of the Government Code.*